

LEVI&KORSINSKY LLP

1101 30th Street NW, Suite 115
Washington, DC 20007
T: 202-524-4290 x1
F: 202-333-2121
www.zlk.com

Donald J. Enright
denright@zlk.com

October 26, 2020

SUBMITTED VIA ECF

The Honorable Valerie E. Caproni
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *Grablis v. OneCoin Ltd. et. al.*, Case No. 1:19-cv-4074

Dear Judge Caproni:

We write on behalf of Lead Plaintiff Donald Berdeaux and Plaintiff Christine Grablis (together, “Plaintiffs”) in the above-captioned matter (the “Action”). Specifically, Plaintiffs write in order to update the Court regarding service of process of the new defendants named in the Second Amended Complaint (the “SAC”), Defendant Sebastian Greenwood (“Greenwood”) and Defendant Gilbert Armenta (“Armenta,” and together with Greenwood, the “Remaining Defendants”).

On September 30, 2020, summonses were issued as to the Remaining Defendants. [ECF Nos. 130, 132]. Plaintiffs note that Defendant Greenwood appears to be currently represented by Bruce A. Barket and Alexander Robert Klein in a related criminal action.¹ Plaintiffs further note that Defendant Armenta appears to be represented by Marc Alan Weinstein in another related criminal action.² Both related actions are currently pending in the Southern District of New York. On October 1, 2020, Plaintiffs attempted to phone counsel for the Remaining Defendants to inquire as to whether they would accept service on behalf of the Remaining Defendants. While Plaintiffs were able to connect with counsel for Defendant Greenwood, who mentioned that he may be able to accept service after confirming with Greenwood, Plaintiffs received no confirmation from either counsel as to whether service would be accepted. Plaintiffs followed up on October 7, 2020 with an email to counsel for the Remaining Defendants, but received no response.

On October 14, 2020, and pursuant to Federal Rule of Civil Procedure 4(d), Plaintiffs mailed formal requests for waiver of service of process to counsel for the Remaining Defendants, as well as to the Remaining Defendants at their last known addresses (the “Request Packets”). Each of the Request Packets was delivered successfully. Again, Plaintiffs have received no response. Therefore, though the Federal Rules allow 30 days for the Remaining Defendants to respond to the Request Packets,³ on October 21, 2020, Plaintiffs engaged a national process server

¹ *USA v. Scott*, Case No. 1:17-cr-630.

² *USA v. Armenta*, Case No. 1:17-cr-556.

³ *See* FED. R. CIV. P. 4(d)(1)(F).

LEVI&KORSINSKY LLP

Page 2 of 2

October 26, 2020

and began the process of effecting formal personal service of process on the Remaining Defendants.

As of the filing of this letter, Plaintiffs have received no responses or communications from the Remaining Defendants or their apparent criminal counsel. Plaintiffs will keep the Court apprised of the efforts of the process servers in effectuating formal service.

Counsel for Plaintiffs are available at the Court's convenience to address any questions or concerns that the Court may have. Thank you for your consideration in this matter.

Respectfully submitted,

/s/ Donald J. Enright

cc: All Counsel of Record (via CM/ECF)

Via US certified mail and email to:

- Counsel for Sebastian Greenwood:
 - o Bruce A. Barket
Alexander Robert Klein
BARKET EPSTEIN KEARON ALDEA & LOTURCO, LLP
666 Old Country Road Suite 700
Garden City, NY 11530
516-745-1500
Fax: 516-745-1245
Email: bbarket@barketepstein.com
Email: aklein@barketepstein.com
- Counsel for Gilbert Armenta:
 - o Marc Alan Weinstein
HUGHES HUBBARD & REED LLP
One Battery Park Plaza
New York, NY 10004
212-837-6460
Fax: 212-299-6460
Email: weinstei@hugheshubbard.com; marc.weinstein@hugheshubbard.com